

REMARKS

Claims 1-22 remain pending in the application.

Claims 1, 3, 5-9, 11, 13-16, 18, 20 and 22 over Okamoto

Claims 1, 3, 5-9, 11, 13-16, 18, 20 and 22 were rejected under 35 USC 102(b) as allegedly being anticipated by U.S. Pat. No. 5,627,655 to Okamoto et al. ("Okamoto"). The Applicant respectfully traverses the rejection.

Claims 1, 3 and 5-8 recite a pre-existing electronic information signal detection element to read a pre-existing electronic information signal stored on a given storage media; and a record circuit, adapted to record on the given storage media, to deactivate at least one record/play element based on a MERE existence of a pre-recorded signal already recorded on the given storage media, as detected by a pre-existing information signal detection element. Claims 9, 11, 13-16, 18, 20 and 22 recite a system and method of detecting a pre-existing video signal from a given video tape and deactivating a record circuit in a video cassette player based on a MERE existence of a pre-existing video signal already recorded on the given video tape.

Thus, claims 1, 3, 5-9, 11, 13-16, 18, 20 and 22 a system and method of detecting a pre-existing video signal from a given storage media and deactivating a record/play element/record circuit based on a MERE existence of a pre-recorded signal/ pre-existing video signal already recorded on the given storage media, with the detection and deactivation being performed for the SAME given storage media.

The Examiner alleges that Okamoto discloses deactivating a record/play element based on a mere existence of a pre-recorded signal already recorded on a given storage media at col. 3, lines 18-25. The Applicants respectfully disagree.

Okamoto discloses a system and method of limiting copying of a video signal (See col. 1, lines 9-14). A control signal contains copy information (See Okamoto, col. 2, line 67-col. 3, line 1). A control signal detection circuit detects the copy information contained in an analog video signal input at analog input 12 and outputs the control signal to a recording/reproducing control circuit

(See Fig. 1; Okamoto, col. 3, lines 9-12). A recording/reproducing control circuit decides permission/inhibition of copy in accordance with the contents of the copy information or the presence or absence of copy information (See Okamoto, col. 3, lines 12-16).

Okamoto relies on a recording/reproducing control circuit that looks at copy information as input at analog input 12. Thus, Okamoto discloses detection of copy information at analog input 12 for deactivation of recording of a video signal on a storage media **NOT** disclosing detection and deactivation being performed for the **SAME** given storage media, i.e., a system and method of detecting a pre-existing video signal from a given storage media and deactivating a record/play element/record circuit based on a **MERE existence of a pre-recorded signal/ pre-existing video signal already recorded on the given storage media**, with the detection and deactivation being performed for the **SAME** given storage media, as recited by claims 1, 3, 5-9, 11, 13-16, 18, 20 and 22.

A benefit of a system and method of detecting a pre-existing video signal from a given storage media and deactivating a record/play element/record circuit based on a **MERE existence of a pre-recorded signal/ pre-existing video signal already recorded on the given storage media**, with the detection and deactivation being performed for the **SAME** given storage media is, e.g., preventing accidental overwriting of information on a storage media. In many instances a user may have forgotten that valuable information had already been recorded on a storage media. A user may then attempt to record on the storage media, without the intent of losing the valuable information. The claimed features prevent a user from losing the valuable information. The cited prior art fails to disclose or suggest the claimed features having such benefits.

For these and other reasons, claims 1, 3, 5-9, 11, 13-16, 18, 20 and 22 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 2, 10 and 17 over Okamoto in view of Takayama

Claims 2, 10 and 17 were rejected under 35 USC 103(a) as allegedly being obvious over Okamoto in view of U.S. Pat. No. 6,134,066 to Takayama (“Takayama”). The Applicant respectfully traverses the rejection.

Claim 2, 10 and 17 recite a system and method of detecting a pre-existing video signal from a given storage media and deactivating a record/play element/record circuit based on a **MERE existence of a pre-recorded signal/ pre-existing video signal already recorded on the given storage media**, with the detection and deactivation being performed for the **SAME** given storage media.

As discussed above, Okamoto fails to disclose or suggest a system and method of detecting a pre-existing video signal from a given storage media and deactivating a record/play element/record circuit based on a **MERE existence of a pre-recorded signal/ pre-existing video signal already recorded on the given storage media**, with the detection and deactivation being performed for the **SAME** given storage media, as recited by claims 2, 10 and 17.

Takayama is relied on to disclose a plurality of record/play elements at col. 4, lines 25-31 and in Fig. 3. However, even modifying Okamoto with Takayama’s plurality of record/play elements fails to disclose or suggest a system and method of detecting a pre-existing video signal from a given storage media and deactivating a record/play element/record circuit based on a **MERE existence of a pre-recorded signal/ pre-existing video signal already recorded on the given storage media**, with the detection and deactivation being performed for the **SAME** given storage media, as recited by claims 2, 10 and 17.

For these and other reasons, claims 2, 10 and 17 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 4, 12 and 19 over Okamoto in view of Yuen

Claims 4, 12 and 19 were rejected under 35 USC 103(a) as allegedly being obvious over Okamoto in view of U.S. Pat. No. 6,487,362 to Yuen (“Yuen”). The Applicant respectfully traverses the rejection.

Claim 4, 12 and 19 recite a system and method of detecting a pre-existing video signal from a given storage media and deactivating a record/play element/record circuit based on a **MERE existence of a pre-recorded signal/ pre-existing video signal already recorded on the given storage media**, with the detection and deactivation being performed for the **SAME** given storage media.

As discussed above, Okamoto fails to disclose or suggest a system and method of detecting a pre-existing video signal from a given storage media and deactivating a record/play element/record circuit based on a **MERE existence of a pre-recorded signal/ pre-existing video signal already recorded on the given storage media**, with the detection and deactivation being performed for the **SAME** given storage media, as recited by claims 4, 12 and 19.

Yuen is relied on to disclose a stationary record/play element at col. 91, lines 47-55. However, even modifying Okamoto with Tuen’s stationary record/play element fails to disclose or suggest a system and method of detecting a pre-existing video signal from a given storage media and deactivating a record/play element/record circuit based on a **MERE existence of a pre-recorded signal/ pre-existing video signal already recorded on the given storage media**, with the detection and deactivation being performed for the **SAME** given storage media, as recited by claims 4, 12 and 19.

For these and other reasons, claims 4, 12 and 19 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William H. Bollman', written over a horizontal line.

William H. Bollman
Reg. No. 36,457

MANELLI DENISON & SELTER PLLC

2000 M Street, NW 7th Floor
Washington, DC 20036-3307
TEL: (202) 261-1020
FAX: (202) 887-0336
WHB/df